



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Daniel Pihulic
(703) 306-4168 (ph), (703) 872-9326 (fax: non-final response)
Inventors: Daniel J. Magine and Kevin D. Kaschke
Docket No.: DJM0001 *Priority Date:* None
Appln. No.: 09/862,914 *Group Art Unit:* 3662
Filing Date: May 22, 2001
Entitled: Underwater Alert System

Daniel J. Magine
2217 West Palatine Road
Inverness, Illinois 60067

October 21, 2002

Letter to the Official Draftsperson
Correction to Drawings – 37 CFR 1.85

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Draftsperson:

1. Responsive to the first office action dated July 5, 2002 for the above-identified patent application, the applicants hereby submit the present amendment for review by the official draftsman.
2. The Applicant amended FIGs. 5 and 11 to provide proper correspondence between the RX Amplifier 108 and the Receiver (RX) 128, as referred to in the specification, and as shown in FIGs. 5 and 11. In particular, in FIGs. 5 and 11, the description of the block labeled 108 is changed from "Receiver RX" as shown in yellow to "RX Amplifier" as shown in red and the description of the block labeled 128 is changed from "RX Amplifier" as shown in yellow to "Receiver (RX)" as shown in red.
3. No new matter has been entered into the drawings.

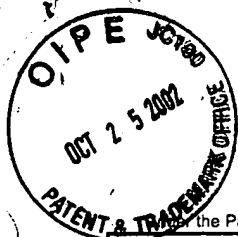
9
Ltr to
Draftsman
Bates
11/8/02

4. Amended FIGs. 5 and 11 are being filed within the three month shortened statutory period set for reply in the present Office Communication dated July 5, 2002, including a petition for a one month extension of time.

5. Any inquiry related to this response should be communicated to Daniel J. Magine at the address and phone number presently on file with the USPTO.

Respectfully submitted,
Daniel J. Magine, et al.

By: Kevin D. Kaschke
Kevin D. Kaschke
Patent Attorney
Reg. No.: 35,767



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

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Assistant Commissioner for Patents
Washington, D.C. 20231

on October 22, 2002

Date

Kevin D. Kaschke

Signature

Kevin D. KASCHKE

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Power of Attorney (1pg), Copy of Assignment (3pgs), Postcard (1pg)
Fee Transmittal - 1pg, Fee - check, Transmittal Form (1pg),
Original Fee Transmittal (1pg), Petition for Extension of Time - w/copy 1pg.
Statement under 37 CFR 3.73 (b) (1pg), Amendment/Reply (3pgs.)
Draftsperson Letter w/ amended FIGS. 9 & 11 (4pgs.), This Certificate (1pg)
marked up specification & claims (94pgs)
Clean specification & claims (92pgs.) Total Pages = 206

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36628

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PTO/SB/21 (08-00)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/862,914	
	Filing Date	May 22, 2001	
	First Named Inventor	Magine, et al.	
	Group Art Unit	3662	
	Examiner Name	D. Pihulic	
Total Number of Pages in This Submission	206	Attorney Docket Number	DJM 0001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)	<input checked="" type="checkbox"/> Assignment Papers (for an Application) (copy 3pgs)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached (check) 1pg	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (3pgs.)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (1 pg.) w/copy	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 pg)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Statement under 37 CFR 3.73(b) (1 pg.) Certificate of Mailing (1 pg), This transmittal (1pg) Letter to Draftsperson w/ FIGS. (4pgs) marked up spec & claims (94pgs) postcard (1pg) clean spec & claims (92pgs), Orig. Fee Trans (1pg)	

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KEVIN D. KASCHKE
Signature	Kevin D. Kaschke
Date	October 22, 2002

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 10-22-2002		
Typed or printed name	KEVIN D. KASCHKE	
Signature	Kevin D. Kaschke	Date
		Oct. 22, 2002

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**FEE TRANSMITTAL
for FY 2000**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,117.00

Complete if Known

Application Number	Unknown
Filing Date	Herewith
First Named Inventor	Daniel J. Magine, et al.
Examiner Name	Unknown
Group/Art Unit	Unknown
Attorney Docket No.	DJM0001

METHOD OF PAYMENT (check one)1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.172. ☒ Payment Enclosed:☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$) 355.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
78	-20**= 58	9	= 522
7	-3**= 5	40	= 200
Multiple Dependent		0	= 0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

(\$) 722.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 40.00

SUBMITTED BY

Name (Print/Type) Daniel J. Magine

Registration No. (Attorney/Agent)

Complete (if applicable)

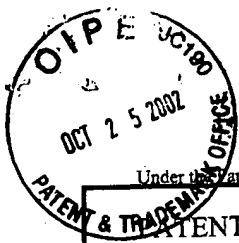
Telephone 847-776-9466

Signature

Daniel J. Magine

Date

5-22-01



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PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number 09/862,914	
CLAIMS AS FILED - PART I					SMALL ENTITY OR OTHER THAN SMALL ENTITY	
(Column 1)		(Column 2)		(Column 3)		
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	
BASIC FEE (37 CFR 1.16(a))					\$ 355	
TOTAL CLAIMS (37 CFR 1.16(c))	78	minus 20 =	* 58	x \$ 9 =	522	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	7	minus 3 =	* 4	x 40 =	160	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			0	+ 0 =	1,037	
			TOTAL	1,037		
* If the difference in column 1 is less than zero, enter "0" in column 2						
CLAIMS AS AMENDED - PART II					SMALL ENTITY OR OTHER THAN SMALL ENTITY	
(Column 1)		(Column 2)		(Column 3)		
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	* 182	Minus	** 78	= 104	
	Independent (37 CFR 1.16(b))	* 16	Minus	*** 8*	= 8	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
				TOTAL	1,272	
					AMENDMENT A ADDIT. FEE	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	*	Minus	**	=	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
				TOTAL		
					AMENDMENT B ADDIT. FEE	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	*	Minus	**	=	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
				TOTAL		
					AMENDMENT C ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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Note: Applicant mistakenly paid for 1 extra indep. claim on filing.
See error in Fee Trans. that is attached

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